



Justice (Northern Ireland) Act 2002

2002 CHAPTER 26

PART 5

MISCELLANEOUS

Civil procedure

73 Constitution of Rules Committees

- (1) In section 54(1) of the Judicature (Northern Ireland) Act 1978 ([c. 23](#)) (membership of Supreme Court Rules Committee), for paragraphs (b) to (f) substitute—
- “(b) three judges of the Supreme Court nominated by the Lord Chief Justice;
 - (c) one Master of the Supreme Court nominated by the Society of Masters;
 - (d) two barristers nominated by the General Council of the Bar of Northern Ireland and one barrister nominated by the Lord Chancellor;
 - (e) two solicitors nominated by the Law Society of Northern Ireland and one solicitor nominated by the Lord Chancellor; and
 - (f) two persons nominated by the Lord Chancellor who do not hold (and have never held) judicial office and are not (and have never been) barristers or solicitors.”
- (2) In Article 46(1) of the County Courts (Northern Ireland) Order 1980 ([S.I. 1980/ 397 \(N.I. 3\)](#)) (membership of County Court Rules Committee), for the words from “be appointed” to the end substitute “consist of—
- (a) a county court judge nominated by the Lord Chancellor who shall be chairman;
 - (b) two county court judges nominated by Her Majesty’s Council of County Court Judges;
 - (c) one district judge nominated by the Association of District Judges;

- (d) two barristers nominated by the General Council of the Bar of Northern Ireland and one barrister nominated by the Lord Chancellor;
- (e) two solicitors nominated by the Law Society of Northern Ireland and one solicitor nominated by the Lord Chancellor;
- (f) one member of the Northern Ireland Court Service nominated by the Lord Chancellor; and
- (g) two persons nominated by the Lord Chancellor who do not hold (and have never held) judicial office and are not (and have never been) barristers or solicitors.”

74 Appeals in small claims cases

(1) Article 30 of the County Courts (Northern Ireland) Order 1980 (jurisdiction exercisable by district judges) is amended as follows.

(2) In paragraph (4) (cases dealt with by arbitration)—

(a) after sub-paragraph (a) insert—

“(ab) any party may appeal on a question of law to a judge (not being a deputy judge) against any order, decision or determination;”

(b) in sub-paragraph (b), for the words from “by the High Court,” onwards substitute “by the Court of Appeal, state for the determination of the Court of Appeal any question of law arising out of an award made by the district judge in dealing with the claim unless an appeal on the question has been brought under sub-paragraph (ab);”, and

(c) in sub-paragraph (c), for “sub-paragraph (b)” substitute “sub-paragraphs (ab) and (b)”.

(3) After paragraph (4) insert—

“(4A) An appeal under paragraph (4)(ab) shall be brought within the period of twenty-one days commencing with the date on which the order, decision or determination was made; and on such an appeal the judge—

(a) has the same powers as the district judge; but

(b) is not required to hold a hearing;

and his decision shall be final.”

75 Time limit for cases stated by county court

In Article 61(2) of the County Courts (Northern Ireland) Order 1980 ([S.I. 1980/ 397 \(N.I. 3\)](#)) (cases stated by county court judge) for “fourteen days” substitute “twenty-one days”.